

Docket No.: 109909-129555

MAIL STOP: APPEAL BRIEF-PATENTS

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By: Yvette L. Chriscaden Date: June 12, 2006
Yvette L. Chriscaden

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Before the Board of Patent Appeals and Interferences

App. No. : 10/000,170 Confirmation No.: 9518
Inventor : Zatloukal et al.
Filed : November 30, 2001
Title : AVOIDING ATTACHMENT OF INELIGIBLE SMART
INTERCHANGEABLE COVER TO AN ELECTRONIC
DEVICE
Art Unit : 2135
Examiner : Truong, Thanhnga B.
Customer No. : 25,943

MAIL STOP: APPEAL BRIEF-PATENTS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**APPELLANTS' BRIEF IN SUPPORT OF APPELLANTS' APPEAL
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Dear Sir:

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This appeal furthers the Notice of Appeal filed on April 12, 2006. The appeal arises from a final decision by the Examiner in the final Office Action, dated January 12, 2006. The final decision was in response to arguments filed on October 12, 2005, in response to an earlier office action, mailed July 12, 2005.

Appellants submit this *Brief on Appeal*, including payment in the amount of \$500.00 to cover the fee for filing the *Brief on Appeal*. Appellants respectfully request

consideration of this appeal by the Board of Patent Appeals and Interferences for allowance of the present patent application.

Real Party in Interest:

The Real Party in Interest is AOL, LLC of Dulles, Washington, D.C., which wholly owns Wildseed, LLC, of Seattle, WA, which is a successor to Wildseed, Ltd, of Kirkland, WA, assignee of the application. Assignment of the application from the Inventors to Wildseed, Ltd is recorded with the United States Patent and Trademark Office on November 30, 2001, at Reel 012346 Frame 0616.

Related Appeals and Interferences:

To the best of Appellants' knowledge, there are no related appeals or interference proceedings currently pending, which would directly affect or be directly affected by or have a bearing on the Board's decision in this appeal.

Status of Claims:

Appellants appeal the rejection of claims 1-77. Claims 1-77 were pending and claims 1-77 were rejected in the final Office Action dated January 12, 2006. Claims 1-77 are reproduced, as pending, in Appendix A.

Status of Amendments:

Appellants have offered no amendments subsequent to final rejection.

Summary of the Claimed Subject Matter:

Independent claim 1 is directed towards *a method of operation in a base portion of an electronic apparatus* that comprises

"detecting for presence of a removably attached interchangeable cover;
authenticating the removably attached interchangeable cover as an eligible
cover; and
operating the electronic apparatus, enabling/disabling all or selected
functions/features offered by the base portion and the removably attached
interchangeable cover in view of whether the removably attached
interchangeable cover is authenticated."

Figure 1 illustrates one example of a system including a base portion 102 capable of performing the operations recited in claim 1. The base portion 102 is described in detail on page 8, line 20 through page 16, line 18, in accordance with some embodiments.

Figure 2 illustrates an exemplary base portion capable of performing the operations recited in claim 1. Figure 2 is described in detail on page 16, line 20 through page 17, line 13, in accordance with some embodiments. Figure 4 illustrates selected operations of base portion 102 and is described in detail on page 18, line 4 through page 19, line 26, in accordance with some embodiments.

Independent claim 21 is directed towards *a method of operation in an interchangeable cover removably attachable to a base portion of an electronic apparatus* that comprises

"receiving a first challenge from a base portion of an electronic apparatus to
which to interchangeable cover is removable attached, to facilitate the
base portion in determining that the interchangeable cover is an eligible
cover; and

in response, generating and providing the base portion with a first response to
said first challenge to facilitate the base portion in making said
determination."

Figure 1 illustrates one example of a system including an interchangeable cover 104 capable of performing the operations recited in claim 21. The interchangeable cover 104 is described in detail on page 8, line 20 through page 16, line 18, in accordance with some embodiments. Figure 3 illustrates an exemplary interchangeable cover capable of performing the operations recited in claim 21. Figure 3 is described in detail on page 17, line 15 through page 18, line 2, in accordance with some embodiments. Figure 5 illustrates selected operations of interchangeable cover 104 and is described in detail on page 20, line 2 through page 21, line 2, in accordance with some embodiments.

Independent claim 36 is directed towards *an apparatus* that comprises:

“a base body case;
a processor encased within said base body case for use to execute instructions;
storage medium encased within said base body case, coupled to said processor,
and having stored therein a plurality of instructions designed to implement
a plurality of functions/features, to authenticate a removably attached
smart interchangeable cover attached to the base body case as an eligible
cover, and to operate the electronic apparatus, enabling/disabling all or
selected ones of the implemented functions/features and
functions/features offered by the removably attached smart
interchangeable cover consistent with whether the removably attached
smart interchangeable cover is authenticated.”

Figure 1 illustrates one example of a system including a base portion 102, the base portion 102 serving as one example of the apparatus claimed by claim 36. The base portion 102 is described in detail on page 8, line 20 through page 16, line 18, in accordance with some embodiments. Figure 2 illustrates an exemplary base portion capable of serving as the apparatus claimed by claim 36. Figure 2 is described in detail on page 16, line 20 through page 17, line 13, in accordance with some embodiments. Figure 4 illustrates selected operations of base portion 102 of claim 36 and is described

in detail on page 18, line 4 through page 19, line 26, in accordance with some embodiments.

Independent claim 59 is directed towards a *cover for an electronic apparatus* that comprises:

"a cover body to cover a base portion of the electronic apparatus;
a processor disposed on a surface of the cover body for use to execute
instructions;
storage medium disposed on a surface of the cover body, coupled to said
processor, and having stored therein data and a plurality of instructions
designed to authenticate the interchangeable cover to a base portion of an
electronic apparatus to which the interchangeable cover is attached."

Figure 1 illustrates one example of a system including an interchangeable cover 104 capable of serving as the cover claimed by claim 59. The interchangeable cover 104 is described in detail on page 8, line 20 through page 16, line 18, in accordance with some embodiments. Figure 3 illustrates an exemplary interchangeable cover capable of serving as the cover claimed by claim 59. Figure 3 is described in detail on page 17, line 15 through page 18, line 2, in accordance with some embodiments. Figure 5 illustrates selected operations of interchangeable cover 104 of claim 59 and is described in detail on page 20, line 2 through page 21, line 2, in accordance with some embodiments.

Grounds For Rejection To Be Argued On Appeal:

- I. Claims 1, 17-20, 34-36, 52-59, and 73-77 stand rejected under 35 U.S.C. §102(e) as being fully anticipated by U.S. Patent No. 6,747,578 to *Lam et al.* (hereinafter "Lam").
- II. Claims 2-7, 10-11, 13-16, 21-26, 29-33, 37-42, 45-46, 48-51, 60-65, and 68-72 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Lam in view of U.S. Patent No. 5,153,919 to *Reeds, III et al.* (hereinafter "Reeds").
- III. Claims 8-9, 12, 27-28, 43-44, 47, and 66-67 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Lam and Reeds in view of U.S. Patent No. 5,784,463 to *Chen et al.* (hereinafter "Chen").

Arguments:

- I. Rejections of claims 1, 17-20, 34-36, 52-59, and 73-77 under 35 U.S.C. §102(e) were improper because Lam fails to anticipate the invention as claimed in claims 1, 17-20, 34-36, 52-59, and 73-77.

It is well settled that anticipation under 35 U.S.C. §102 requires the disclosure in a single piece of prior art to teach **each and every** limitation of a claimed invention.

Electro Med. Sys. S.A. v. Cooper Life Sciences, 34 F.3d 1048, 1052, 32 USPQ2d 1017, 1019 (Fed. Cir. 1994). . MPEP 2131 states, "TO ANTICIPATE A CLAIM, THE REFERENCE MUST TEACH EVERY ELEMENT OF THE CLAIM" and "a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Furthermore, anticipation requires that each claim element must be identical to a corresponding element in the applied reference. *Glaverbel Société Anonyme v. Northlake Mktg & Supply, Inc.*, 45 F.3d 1550, 1554 (Fed. Cir. 1995). Thus, to anticipate the present invention, Lam must disclose every element recited in the pending claims.

Claim 1 recites, in “a base portion of an electronic apparatus, a method of operation comprising:

detecting for presence of a removably attached interchangeable cover;
authenticating the removably attached interchangeable cover as an eligible cover; and
operating the electronic apparatus, enabling/disabling all or selected functions/features offered by the base portion and the removably attached interchangeable cover in view of whether the removably attached interchangeable cover is authenticated.”

In contrast, Lam simply teaches an “integrated removable functional faceplate for a portable computer system.” The faceplate employs “specially located electrical contacts or pads that mate with similarly located electrical contacts mounted on the portable computer system.” The electrical contacts carry signals that are “responsive to the pressing of physical buttons which may be placed in any location on the functional faceplate.” Also taught by Lam is the placement on the faceplate of an optional identification means coupled to an electrical contact. The means is capable of communicating a code to the portable computer system indicating the faceplate’s identity or type. The communicated code can help the portable computer system to interpret signals sent by the faceplate.

Accordingly, Lam fails to disclose, expressly or inherently, any sort of eligibility authentication process to determine whether the detected faceplate is eligible for use with the portable computer system. The identification taught by Lam simply does not equate to authentication using the identification signal sent. While an identification signal may well be used for authentication, no authentication process is even hinted at by Lam, and the mere receipt of an identification signal and its use in processing faceplate signals requires no authentication operation. Further, nowhere does Lam mention any sort of processing of the identification information to determine whether the faceplate is of the sort considered “eligible.” Lam does not have any teaching on the

concept of the eligibility of a removable faceplate to modify the operation of a computer system. Accordingly, no “eligiblity” authentication can occur because the portable computer system of Lam makes no determination of whether the faceplate is “eligible.”

It further follows that Lam fails to teach the enabling/disabling of all or selected functions/features offered by the base portion and cover in view of whether the cover is authenticated to be eligible or not, since the operation of authentication is never made.

Accordingly, Lam does not anticipate claim 1.

Claims 36 and 59 include language similar to that of claim 1. Thus, for at least the same reasons, Lam does not anticipate claims 36 and 59.

Claims 17-20, 52-58, and 73-77 depend from claims 1, 36, and 59, incorporating their limitations respectively. Thus, for at least the same reasons, Lam does not anticipate claims 17-20, 52-58, and 73-77.

Also, even if the mere receipt of an identification signal reads on authenticating the cover as an eligible cover (a point which Applicants do not concede), Lam fails to disclose, expressly or inherently, the disabling of features/functions of the base portion in response to the attachment of the faceplate or the failed authenticated of the faceplate, as is claimed in claims 19-20 and 54-55. Lam teaches the addition of functions and features of the cover to those of the base portion in response to the cover's attachment. No mention is made of any disabling operations disabling base portion features/functions. Accordingly, for at least these additional reasons, claims 19-20 and 54-55 are not anticipated by Lam.

Claim 34-35 depend from independent claim 21. Claim 21 was not rejected by the Examiner as being anticipated by Lam. Thus, for at least the same reasons that claim 21 is not anticipated by Lam, claims 34-35 are also not anticipated by Lam.

II. Rejections of claims 2-7, 10-11, 13-16, 21-26, 29-33, 37-42, 45-46, 48-51, 60-65, and 68-72 under 35 U.S.C. §103(a) were improper because Lam and Reeds, alone or in combination, fail to teach or suggest the claimed invention when the invention as claimed in claims 2-7, 10-11, 13-16, 21-26, 29-33, 37-42, 45-46, 48-51, 60-65, and 68-72 is viewed as a whole.

As stated above, Lam fails to disclose required, recited operations of the present invention, as claimed in claims 1, 21, 36, and 59. Reeds does not cure the deficiencies of Lam. Thus, even when combined with Reeds, the cited art fails to suggest the novel features that are noted when the invention of claims 1, 21, 36, and 59 is viewed as a whole.

Claims 2-7, 10-11, 13-16, 22-26, 29-33, 37-42, 45-46, 48-51, 60-65, and 68-72 depend from claims 1, 21, 36, and 59, respectively. Consequently, claims 2-7, 10-11, 13-16, 22-26, 29-33, 37-42, 45-46, 48-51, 60-65, and 68-72 are patentable over the combination of Lam and Reeds under 35 U.S.C. §103(a).

Also, claim 13 is directed towards a response/authentication key by the cover to a challenge of the base portion, the response including a data block comprising features/functions provided by the interchangeable cover. Lam and Reeds do not suggest the use of functions/features of a device seeking authentication as part of an authentication key, as is claimed by claim 13. At best, Lam and Reeds suggest the use of a secret data field provided by the server to which the device seeks authentication. Both the server and device of Reeds use the secret data field to create a signature, after which the server provides its signature to the device for comparison. If the comparison succeeds, the device informs the server. Thus, the data used for authentication in Lam and Reeds is a field provided by the server (base portion), not a feature/function of the device seeking authentication (interchangeable cover). Claims

30, 48, and 69 recite in substance the same limitation, and are thus patentable over Lam and Reeds for at least these additional reasons.

Further, claim 15 recites the generating of a second challenge based on the results of the first challenge. Lam and Reeds do suggest a series of periodic challenges by the base station to a wireless device, but nothing states or suggests any relation between the challenges. The challenges are simply disclosed to be periodic, and thus are made regardless of the results of the previous challenge(s). Accordingly, Lam and Reeds do not suggest generating a second challenge based on the results of the first, as is claimed by claim 15. Claims 32, 50, and 71 recite in substance the same limitation, and are thus patentable over Lam and Reeds for at least these additional reasons. Also, claims 16, 33, 51, and 72 depend from claims 15, 32, 50, and 71, incorporating their limitations, respectively, and are thus patentable over Lam and Reeds for at least these additional reasons.

III. Rejections of claims 8-9, 12, 27-28, 43-44, 47, and 66-67 under 35 U.S.C. §103(a) were improper because Lam, Reeds, and Chen, alone or in combination, fail to teach or suggest the claimed invention when the invention as claimed in claims 8-9, 12, 27-28, 43-44, 47, and 66-67 is viewed as a whole.

As stated above, Lam and Reeds fail to disclose required, recited operations of the present invention, as claimed in claims 1, 21, 36, and 59. Chen does not cure the deficiencies of Lam and Reeds. Thus, even when combined with Chen, the cited art fails to suggest the novel features that are noted when the invention of claims 1, 21, 36, and 59 is viewed as a whole.

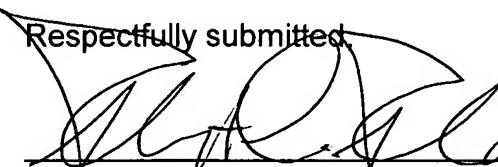
Claims 8-9, 12, 27-28, 43-44, 47, and 66-67 depend from claims 1, 21, 36, and 59, respectively. Consequently, claims 8-9, 12, 27-28, 43-44, 47, and 66-67 are patentable over the combination of Lam, Reeds, and Chen under 35 U.S.C. §103(a).

Conclusion

Appellants respectfully submit that all the appealed claims in this application are patentable and requests that the Board of Patent Appeals and Interferences overrule the Examiner and direct allowance of the rejected claims.

This brief is submitted with Check Number 13969 for \$500.00 to cover the filing of appeal brief. We do not believe any additional fees, in particular extension of time fees, are needed. However, should that be necessary, please charge our deposit account 500393. In addition, please charge any shortages and credit any overages to Deposit Account No. 500393.

Date: June 12, 2006

Respectfully submitted,


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Appendix A – Appealed Claims

1. (Original) In a base portion of an electronic apparatus, a method of operation comprising:
 - detecting for presence of a removably attached interchangeable cover;
 - authenticating the removably attached interchangeable cover as an eligible cover; and
 - operating the electronic apparatus, enabling/disabling all or selected functions/features offered by the base portion and the removably attached interchangeable cover in view of whether the removably attached interchangeable cover is authenticated.
2. (Original) The method of claim 1, wherein said authenticating comprises generating a first challenge;
providing said first challenge to said removably attached interchangeable cover;
receiving from the removably attached interchangeable cover a first response to the first challenge; and
verifying correctness of said received first response.
3. (Original) The method of claim 2, wherein said providing comprises providing said first challenge in a first encrypted form, and said authenticating further comprises encrypting said first challenge into said first encrypted form using a set of one or more session keys.
4. (Original) The method of claim 3, wherein said authenticating further comprises generating said set of one or more session keys, and pre-providing said generated set of one or more session keys to said removably attached interchangeable cover.

5. (Original) The method of claim 4, wherein said pre-providing comprises pre-providing said generated set of one or more session keys in a second encrypted form, and said authenticating further comprises encrypting said generated set of one or more session keys into said second encrypted form using a public key of the removably attached interchangeable cover.
6. (Original) The method of claim 5, wherein said authenticating further comprises requesting and receiving said public key of the removably attached interchangeable cover from the removably attached interchangeable cover.
7. (Original) The method of claim 6, wherein said receiving of said public key of the removably attached interchangeable cover from the removably attached interchangeable cover comprises receiving said public key of the removably attached interchangeable cover in a signed form from the removably attached interchangeable cover, and said authenticating further comprises verifying said received public key as having been signed by an authorized party using a public signing key of a trusted certification authority.
8. (Original) The method of claim 7, wherein said verification of said received public key of the removably attached interchangeable cover as having been signed by an authorized party further comprises determining whether the public signing key has been revoked by the trusted certification authoring, and recovering said public key of the removably attached interchangeable cover as part of the verification process.
9. (Original) The method of claim 7, wherein the base portion of the electronic apparatus and the removably attached interchangeable cover are manufactured by a first and a second manufacturer respectively, and said trusted certification authority is a common licensor licensing respective manufacturing rights to said first and second manufacturers.

10. (Original) The method of claim 7, wherein said receiving of said public key of the removably attached interchangeable cover from the removably attached interchangeable cover comprises receiving a certificate signed by said trusted certification authority comprising said public key of the removably attached interchangeable cover, and said authenticating further comprises verifying said certificate using a public master key of the trusted certification authority.

11. (Original) The method of claim 2, wherein said first challenge comprises a challenge to provide the base portion with a data block and a signature of the data block, said first response comprises the data block and the corresponding signature requested, and said verification comprises verifying correspondence of the provided data block to the provided signature using a public signing key corresponding to a private signing key employed to generate the signature of the data block.

12. (Original) The method of claim 11, wherein said verification of correspondence comprises recovering said corresponding public signing key using a public signing key of a certification authority, generating a hash value for the received data block, generating a check signature based on the generated hash value and the recovered public signing key, and comparing the check signature and the provided signature of the data block.

13. (Original) The method of claim 11, wherein said data block comprises a manifest describing implementing instructions of at least a subset of the functions/features of the removably attached interchangeable cover.

14. (Original) The method of claim 2, wherein the method further comprises generating a second challenge; providing said second challenge to said removably attached interchangeable cover;

receiving from the removably attached interchangeable cover a second response to the second challenge; and verifying correctness of said received second response.

15. (Original) The method of claim 14, wherein said second challenge is based at least in part on said first response.

16. (Original) The method of claim 15, wherein said first challenge comprises providing the base portion with a manifest describing implementing instructions of at least a subset of the functions/features of the removably interchangeable cover and corresponding hash values, and a signature of the manifest; said second challenge comprises providing the base portion with the described implementing instructions of at least one of functions/features of the removably attached interchangeable cover; and said verification of the second response comprises generating a compare hash value for each of the at least one functions/features of the removably attached interchangeable cover provided, and comparing each of the generated compare hash values to the corresponding hash value previously provided as part of the signed manifest.

17. (Original) The method of claim 1, wherein said method further comprises requesting and receiving implementing instructions/data of a personalization feature from the removably attached interchangeable cover to personalize the electronic apparatus.

18. (Original) The method of claim 1, wherein said method further comprises requesting and receiving implementing instructions/data of a function from the removably attached interchangeable cover to enrich the functions of the electronic apparatus.

19. (Original) The method of claim 1, wherein said enabling/disabling comprises disabling functions/features previously loaded into the base portion that are to be enabled only with the presence of particular interchangeable covers.

20. (Original) The method of claim 1, wherein said enabling/disabling comprises disabling selected ones of the functions/features of the base portion if the removably attached interchangeable cover is not authenticated.

21. (Original) In an interchangeable cover removably attachable to a base portion of an electronic apparatus, a method of operation comprising:

receiving a first challenge from a base portion of an electronic apparatus to which to interchangeable cover is removable attached, to facilitate the base portion in determining that the interchangeable cover is an eligible cover; and

in response, generating and providing the base portion with a first response to said first challenge to facilitate the base portion in making said determination.

22. (Original) The method of claim 21, wherein said first challenge is received in a first encrypted form, and said method further comprises decrypting said first challenge using a set of one or more session keys.

23. (Original) The method of claim 22, wherein said method further comprises pre-receiving said set of one or more session keys from the base portion.

24. (Original) The method of claim 23, wherein said set of one or more session keys are received in a second encrypted form, and said method further comprises decrypting to recover said set of one or more session keys using a private key of the removably attached interchangeable cover corresponding to a public key of the removably attached interchangeable cover employed by the base portion to encrypt said set of one or more session keys.

25. (Original) The method of claim 24, wherein said method further comprises

receiving a request from the base portion for and said public key of the removably attached interchangeable cover; and in response, providing said public key of the removably attached interchangeable cover to the base portion.

26. (Original) The method of claim 25, wherein said providing of said public key of the removably attached interchangeable cover comprises providing said public key of the removably attached interchangeable cover in a signed form, signed by an authorized party using a signing key of a trusted certification authority.

27. (Original) The method of claim 26, wherein the base portion of the electronic apparatus and the removably attached interchangeable cover are manufactured by a first and a second manufacturer respectively, and said trusted certification authority is a common licensor licensing respective manufacturing rights to said first and second manufacturers.

28. (Original) The method of claim 26, wherein said providing of said public key of the removably attached interchangeable cover comprises providing a certificate signed by said trusted certification authority comprising said public key of the removably attached interchangeable cover.

29. (Original) The method of claim 21, wherein said first challenge comprises a challenge to provide the base portion with a data block and a signature of the data block, and said first response comprises the data block and the corresponding signature requested, the signature being pre-generated using a private signing key.

30. (Original) The method of claim 29, wherein said data block comprises a manifest describing implementing instructions of at least a subset of the functions/features of the removably attached interchangeable cover.

31. (Original) The method of claim 21, wherein the method further comprises

receiving a second challenge from the base portion to further facilitate said base portion in determining eligibility of the interchangeable cover; and in response, providing the base portion with a second response to the second challenge to further facilitate said base portion in determining eligibility of the interchangeable cover.

32. (Original) The method of claim 31, wherein said second challenge is based at least in part on said first response.

33. (Original) The method of claim 32, wherein said first challenge comprises providing the base portion with a manifest describing implementing instructions of at least a subset of the functions/features of the removably interchangeable cover and corresponding hash values, and a signature of the manifest; and said second challenge comprises providing the base portion with the described implementing instructions of at least one of functions/features of the removably attached interchangeable cover.

34. (Original) The method of claim 21, wherein said method further comprises receiving a request and in response, providing implementing instructions/data of a personalization feature from the removably attached interchangeable cover to personalize the electronic apparatus.

35. (Original) The method of claim 21, wherein said method further comprises receiving a request and in response, providing implementing instructions/data of a function from the removably attached interchangeable cover to enrich the functions of the electronic apparatus.

36. (Original) An apparatus comprising:
a base body case;
a processor encased within said base body case for use to execute instructions;

storage medium encased within said base body case, coupled to said processor, and having stored therein a plurality of instructions designed to implement a plurality of functions/features, to authenticate a removably attached smart interchangeable cover attached to the base body case as an eligible cover, and to operate the electronic apparatus, enabling/disabling all or selected ones of the implemented functions/features and functions/features offered by the removably attached smart interchangeable cover consistent with whether the removably attached smart interchangeable cover is authenticated.

37. (Original) The apparatus of claim 36, wherein said instructions enable the apparatus to authenticate a removably attached interchangeable cover by generating a first challenge; providing said first challenge to said removably attached interchangeable cover; receiving from the removably attached interchangeable cover a first response to the first challenge; and verifying correctness of said received first response.

38. (Original) The apparatus of claim 37, wherein said instructions enable the apparatus to effectuate said providing by providing said first challenge in a first encrypted form, and said authenticating further comprises encrypting said first challenge into said first encrypted form using a set of one or more session keys.

39. (Original) The apparatus of claim 38, wherein said instructions enable the apparatus to include as part of said authenticating, generation of said set of one or more session keys, and pre-providing of said generated set of one or more session keys to said removably attached interchangeable cover.

40. (Original) The apparatus of claim 39, wherein said instructions enable the apparatus to effectuate said pre-providing by pre-providing said generated set of one or more session keys in a second encrypted form, and include as part of said

authenticating, encryption of said generated set of one or more session keys into said second encrypted form using a public key of the removably attached interchangeable cover.

41. (Original) The apparatus of claim 40, wherein said instructions enable the apparatus to include as part of said authenticating, request and receipt of said public key of the removably attached interchangeable cover from the removably attached interchangeable cover.

42. (Original) The apparatus of claim 41, wherein said instructions further enable the to receive said public key of the removably attached interchangeable cover in a signed form from the removably attached interchangeable cover, and include as part of said authenticating, verification of said received public key as having been signed by an authorized party using a public signing key of a trusted certification authority.

43. (Original) The apparatus of claim 42, wherein said instructions enable the apparatus to determine whether the public signing key has been revoked by the trusted certification authoring, and to recover said public key of the removably attached interchangeable cover as part of the verification process.

44. (Original) The apparatus of claim 43, wherein the base portion of the electronic apparatus and the removably attached interchangeable cover are manufactured by a first and a second manufacturer respectively, and said trusted certification authority is a common licensor licensing respective manufacturing rights to said first and second manufacturers.

45. (Original) The apparatus of claim 42, wherein said receiving of said public key of the removably attached interchangeable cover from the removably attached interchangeable cover comprises receiving a certificate signed by said trusted certification authority comprising said public key of the removably attached interchangeable cover, and said instructions further enable the apparatus to include as

part of said authenticating, verification of said certificate using a public master key of the trusted certification authority.

46. (Original) The apparatus of claim 37, wherein said first challenge comprises a challenge to provide the base portion with a data block and a signature of the data block, said first response comprises the data block and the corresponding signature requested, and said instructions enable the apparatus to effectuate said verification by verifying correspondence of the provided data block to the provided signature using a public signing key corresponding to a private signing key employed to generate the signature of the data block.

47. (Original) The apparatus of claim 46, wherein said instructions enable the apparatus to effectuate said verification of correspondence by recovering said corresponding public signing key using a public signing key of a certification authority, generating a hash value for the received data block, generating a check signature based on the generated hash value and the recovered public signing key, and comparing the check signature and the provided signature of the data block.

48. (Original) The apparatus of claim 46, wherein said data block comprises a manifest describing implementing instructions of at least a subset of the functions/features of the removably attached interchangeable cover.

49. (Original) The apparatus of claim 37, wherein said instructions further enable the apparatus to authenticate said removably attached interchangeable cover by generating a second challenge;
providing said second challenge to said removably attached interchangeable cover;
receiving from the removably attached interchangeable cover a second response to the second challenge; and
verifying correctness of said recovered second response.

50. (Original) The apparatus of claim 49, wherein said second challenge is based at least in part on said first response.

51. (Original) The apparatus of claim 50, wherein
said first challenge comprises providing the base portion with a manifest
describing implementing instructions of at least a subset of the
functions/features of the removably interchangeable cover and
corresponding hash values, and a signature of the manifest;
said second challenge comprises providing the base portion with the described
implementing instructions of at least one of functions/features of the
removably attached interchangeable cover; and
said verification of the second response comprises generating a compare hash
value for each of the at least one functions/features of the removably
attached interchangeable cover provided, and comparing each of the
generated compare hash values to the corresponding hash value
previously provided as part of the signed manifest.

52. (Original) The apparatus of claim 36, wherein said instructions enable the apparatus to request and receive implementing instructions/data of a personalization feature from the removably attached interchangeable cover to personalize the electronic apparatus.

53. (Original) The apparatus of claim 36, wherein said instructions enable the apparatus to request and receive implementing instructions/data of a function from the removably attached interchangeable cover to enrich the functions of the electronic apparatus.

54. (Original) The apparatus of claim 36, wherein said instructions enable the apparatus to include as part of said enabling/disabling, disabling of functions/features previously loaded into the base portion that are to be enabled only with the presence of particular interchangeable covers.

55. (Original) The apparatus of claim 36, wherein said instructions enable the apparatus to include as part of said enabling/disabling, disabling of selected ones of the functions/features of the base portion if the removably attached interchangeable cover is not authenticated.

56. (Original) The apparatus of claim 36, wherein said apparatus is a wireless communication device.

57. (Original) The apparatus of claim 56, wherein wireless communication device is a wireless mobile phone.

58. (Original) The apparatus of claim 36, wherein said electronic apparatus is a selected one of a personal digital assistant and an electronic gaming device.

59. (Original) A cover for an electronic apparatus, comprising:
a cover body to cover a base portion of the electronic apparatus;
a processor disposed on a surface of the cover body for use to execute instructions;
storage medium disposed on a surface of the cover body, coupled to said processor, and having stored therein data and a plurality of instructions designed to authenticate the interchangeable cover to a base portion of an electronic apparatus to which the interchangeable cover is attached.

60. (Original) The cover of claim 59, wherein the instructions are designed to enable the cover to receive a first challenge from a base portion of an electronic apparatus to which the interchangeable cover is removable attached, to facilitate the base portion in determining that the interchangeable cover is an eligible cover; and

in response, to generate and provide the base portion with a first response to said first challenge to facilitate the base portion in making said determination.

61. (Original) The cover of claim 60, wherein said first challenge is received in a first encrypted form, and instructions enable the cover to decrypt said first challenge using a set of one or more session keys.

62. (Original) The cover of claim 61, wherein said instructions further enable the cover to pre-receive said set of one or more session keys from the base portion.

63. (Original) The cover of claim 62, wherein said set of one or more session keys are received in a second encrypted form, and said instructions further enable the cover to decrypt to recover said set of one or more session keys using a private key of the removably attached interchangeable cover corresponding to a public key of the removably attached interchangeable cover employed by the base portion to encrypt said set of one or more session keys.

64. (Original) The cover of claim 63, wherein said instructions further enable the cover to

receive a request from the base portion for and said public key of the removably attached interchangeable cover; and

in response, to provide said public key of the removably attached interchangeable cover to the base portion.

65. (Original) The cover of claim 64, wherein said instructions further enable the cover to provide said public key of the removably attached interchangeable cover in a signed form, signed by an authorized party using a signing key of a trusted certification authority.

66. (Original) The cover of claim 65, wherein the base portion of the electronic apparatus and the removably attached interchangeable cover are manufactured by a first and a second manufacturer respectively, and said trusted certification authority is a common licensor licensing respective manufacturing rights to said first and second manufacturers.

67. (Original) The cover of claim 65, wherein said instructions further enable the cover to effectuate said providing of said public key of the removably attached interchangeable cover by providing a certificate signed by said trusted certification authority comprising said public key of the removably attached interchangeable cover.

68. (Original) The cover of claim 60, wherein said first challenge comprises a challenge to provide the base portion with a data block and a signature of the data block, and said first response comprises the data block and the corresponding signature requested, the signature being pre-generated using a private signing key.

69. (Original) The cover of claim 68, wherein said data block comprises a manifest describing implementing instructions of at least a subset of the functions/features of the removably attached interchangeable cover.

70. (Original) The cover of claim 60, wherein said instructions further enable the cover to

receive a second challenge from the base portion to further facilitate said base portion in determining eligibility of the interchangeable cover; and in response, to provide the base portion with a second response to the second challenge to further facilitate said base portion in determining eligibility of the interchangeable cover.

71. (Original) The cover of claim 70, wherein said second challenge is based at least in part on said first response.

72. (Original) The cover of claim 71, wherein
said first challenge comprises providing the base portion with a manifest
describing implementing instructions of at least a subset of the
functions/features of the removably interchangeable cover and
corresponding hash values, and a signature of the manifest; and
said second challenge comprises providing the base portion with the described
implementing instructions of at least one of functions/features of the
removably attached interchangeable cover.

73. (Original) The cover of claim 59, wherein said instructions further enable the
cover to receive a request and in response, to provide implementing instructions/data
of a personalization feature from the removably attached interchangeable cover to
personalize the electronic apparatus.

74. (Original) The cover of claim 59, wherein said instructions further enable the
cover to receive a request and in response, to provide implementing instructions/data
of a function from the removably attached interchangeable cover to enrich the
functions of the electronic apparatus.

75. (Original) The cover of claim 59, wherein said electronic apparatus is a
wireless communication device.

76. (Original) The cover of claim 75, wherein wireless communication device is a
wireless mobile phone.

77. (Original) The cover of claim 59, wherein said electronic apparatus is a selected
one of a personal digital assistant and an electronic gaming device.

Appendix B – Copies of Evidence Submitted

No evidence has been submitted under 37 C.F.R. 1.130, 1.131, or 1.132. No evidence entered by Examiner has been relied upon by Appellants in the appeal.

Appendix C – Related Proceedings

There are no related appeals or interference proceedings currently pending, which would directly affect or be directly affected by or have a bearing on the Board's decision in this appeal.



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JUN 15 2006

PTO/SB/21 (09-04)

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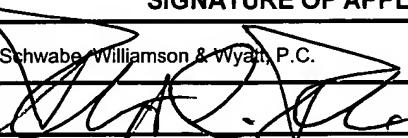
TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/000,170
Filing Date	November 30, 2001
First Named Inventor	Peter Zatloukal
Art Unit	2135
Examiner Name	Truong, Thanhng B.
Attorney Docket Number	109909-129555

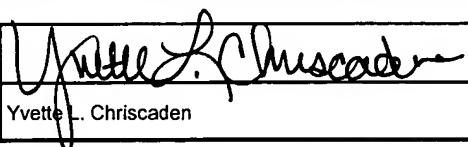
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm Name	Schwabe, Williamson & Wyatt, P.C.
Signature	
Printed name	Robert C. Peck
Date	June 12, 2006
	Reg. No. 56,826

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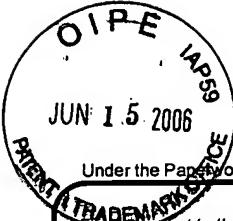
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Date June 12, 2006

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JUN 15 2006

PTO/SB/17 (01-06)

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Subject to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL For FY 2006

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

500

Complete if Known

Application Number	10/000,170
Filing Date	November 30, 2001
First Named Inventor	Peter Zatloukal
Examiner Name	Truong, Thanhnga B.
Art Unit	2135
Attorney Docket No.	109909-129555

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____
 Deposit Account Deposit Account Number: 500393 Deposit Account Name: Schwabe, Williamson et al

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee
 Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES
Fee Description

Each claim over 20 (including Reissues)

Small Entity
Fee (\$)

50 25

Each independent claim over 3 (including Reissues)

200 100

Multiple dependent claims

360 180

Total Claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
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- 20 or HP =	x	=	
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HP = highest number of total claims paid for, if greater than 20.

Multiple Dependent Claims
Fee (\$)

Fee Paid (\$)

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
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- 3 or HP =	x	=	
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HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
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- 100 =	/ 50 =	(round up to a whole number) x	=	
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4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Fees Paid (\$)

Other (e.g., late filing surcharge): Appeal Brief Filing Fee

500

SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 56,826	Telephone 503-222-9981
Name (Print/Type)	Robert C. Peck		

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